

A RESOLUTION

23-53

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 2, 2019

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Firearms Control Regulations Act of 1975 to create a judicial process through which individuals who have been disqualified from receiving a firearms registration certificate due to having been voluntarily admitted or involuntarily committed to a mental health facility, determined to be an incapacitated individual, adjudicated as a mental defective, or committed to a mental institution, can petition the Superior Court of the District of Columbia for relief from that disqualification, to provide that a person convicted of possessing a large capacity ammunition feeding device shall be incarcerated for no more than 3 years, fined, or both, to allow persons to petition the Superior Court of the District of Columbia for an extreme risk protection order, which would prohibit the respondent from having possession or control of, purchasing, or receiving any firearm, ammunition, registration certificate, license to carry a concealed pistol, or dealer's license, if the court finds that the subject poses a significant danger of causing bodily injury to self or others, to establish a process for the personal service, renewal, and termination of extreme risk protection orders, to establish procedures for the surrender, storage, assessment of fees for storage, and return of firearms and ammunition that are recovered pursuant to an extreme risk protection order, and to establish a penalty for a violation of an extreme risk protection order; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to prohibit the possession of bump stocks.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Firearms Safety Omnibus Congressional Review Emergency Declaration Resolution of 2019".

Sec. 2. (a) On December 18, 2018, the Council passed the Firearms Safety Omnibus Emergency Amendment Act of 2018, effective January 30, 2019 (D.C. Act 22-629; 66 DCR 1729), which is set to expire on April 30, 2019.

(b) On December 18, 2018, the Council also passed the Firearms Safety Omnibus Amendment Act of 2018, enacted on January 30, 2019 (D.C. Act 22-620; 66 DCR 1672), which will make permanent the provisions of D.C. Act 22-629. The projected law date is May 23, 2019.

**ENROLLED ORIGINAL**

(c) This congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the permanent legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Firearms Safety Omnibus Congressional Review Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.